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Approved for use through 9/30/00

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/01 (8/96)	DECLARATION		Attorney Docket Number	1256-00777	
			First Named Inventor	Hector F. DeLuca	
	COMPLETE IF KNOWN		Application Number	10/614,964	
			Filing Date	07/08/2003	
	<input type="checkbox"/> Declaration Submitted with Initial Filing	OR	<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing	Group Art Unit	1614
				Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

(20S)-1 α -Hydroxy-2-Methylene-19-Nor-Vitamin D₃ and Its Uses

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

07/08/2003

as United States Application Number or PCT

International Number
(if applicable).

and was amended on (MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application which designed at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

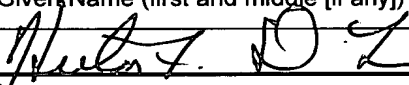
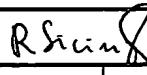
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional <input type="checkbox"/> Application numbers are listed on a supplemental priority sheet attached hereto.

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DECLARATION							
<p>I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365© of any PCT international application designated the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States of PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.</p>							
U.S. Parent Application Number		PCT Parent Number		Parent Filing Date (MM/DD/YYYY)		Parent Patent Number (if applicable)	
<input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.							
<p>As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:</p>							
Name		Registration Number		Name		Registration Number	
Daniel D. Fetterley		20,323		Joseph D. Kuborn		40,689	
George H. Solveson		25,927		Jeffrey S. Sokol		35,686	
Gary A. Essmann		29,376		Peter T. Holsen		P54,180	
Thomas M. Wozny		28,922		William L. Falk		27,709	
Michael E. Taken		28,120					
Joseph J. Jochman, Jr.		25,058					
<input type="checkbox"/> Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.							
<input checked="" type="checkbox"/> Please direct all correspondence to: Name Thomas M. Wozny							
Address Andrus, Sceales, Starke & Sawall, LLP							
Address 100 East Wisconsin Avenue, Suite 1100							
City Milwaukee		State Wisconsin		Zip 53202-4178			
Country United States		Telephone (414) 271-7590		Fax (414) 271-5770			
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>							
Name of Sole or First Inventor: <input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])				Family Name or Surname			
Hector F. 				DeLuca			
Inventor's Signature					Date 10/22/03		
RESIDENCE: City Deerfield		State WI		Country USA		Citizenship USA	
POST OFFICE ADDRESS 1809 Highway BB							
City Deerfield		State WI		Zip 53531		Country USA	
Name of Additional Joint Inventor, if any: <input type="checkbox"/> A petition has been filed for this unsigned inventor							
Given Name (first and middle [if any])				Family Name or Surname			
Rafal R.				Sicinski			
Inventor's Signature 					Date 10/22/03		
RESIDENCE: City		State Warsaw		Country Poland		Citizenship Poland	
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City		State Warsaw		Zip 04-030		Country Poland	
<input checked="" type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto.							

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DECLARATION				ADDITIONAL INVENTOR(S) Supplemental Sheet			
Name of Additional Joint Inventor, if any:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Pawel K.				Grzywacz			
Inventor's Signature <i>Pawel Grzywacz</i>				Date <i>10/22/2003</i>			
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<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto.							



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. :	10/614,964	)	CERTIFICATE OF MAILING
Applicant :	Hector F. DeLuca et al	)	I hereby certify that this correspondence is
		)	being deposited with the United States
Filed :	July 8, 2003	)	Postal Service with sufficient postage as
Title :	(20S)-1 α -Hydroxy-2-	)	first class mail in an envelope addressed to:
	Methylene-19-Nor-	)	Commissioner of Patents, P.O. Box 1450,
	Vitamin D ₃ and Its Uses	)	Alexandria, VA 22313-1450, on this 3rd
TC/A.U. :	1614	)	day of November, 2003.
Examiner :		)	<i>Dorothy A. Hauser</i> November 3, 2003
		)	Dorothy A. Hauser Date
Docket No. :	1256-00777)	

TRANSMISSION OF EXECUTED DECLARATION

Mail Stop: Box Missing Parts - Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the "Notice to File Missing Parts", mailed October 2, 2003, copy attached, enclosed for filing in the above application is the executed Declaration.

A check in the amount of \$65.00 is attached for the surcharge.

The Commissioner is hereby authorized to charge any additional fees in accordance with 37 C.F.R. 1.16(e) to Deposit Account No. 01.2000. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By *Thomas M. Wozny*
Thomas M. Wozny
Reg. No. 28,922

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